



South Coast Air Quality Management District

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SENT VIA E-MAIL AND USPS:

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Draft Environmental Impact Report (Draft EIR) for the Proposed 713 East 5th Street Project (SCH No.: 2018061005)

South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final EIR.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish a 14,475-square-foot building and construct a 33,007-square-foot building with 51 residential units on 0.13 acres. (Proposed Project). The Proposed Project is located on the northwest corner of Stanford Avenue and 5th Street in the community of Central City. Based on a review of the Draft EIR, SCAQMD staff found that the Proposed Project is located within 600 feet a cold storage distribution center¹.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the Proposed Project's construction and operational air quality impacts would be less than significant². Additionally, for the purpose of disclosing the potential health risks as useful information to future residents living within 600 feet of the cold storage distribution center, the Lead Agency prepared a Health Risk Assessment (HRA) for the Proposed Project and found that the residential cancer risk would be 2.1 in one million, which is below SCAQMD's CEQA significance threshold of 10 in one million for cancer risk³.

Enhanced Filtration Units and Limitations

Notwithstanding the court rulings, SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. A cold storage distribution center is a potential source of air pollution because it is capable of generating or attracting heavy-duty, diesel-fueled trucks during operation that emit diesel particulate matter (DPM). The California Air Resources Board has identified DPM as a toxic air contaminant based on its carcinogenic effects⁴. Because of SCAQMD's concern about the potential public health impacts of siting sensitive populations within close proximity of a cold

¹ Draft EIR. Section IV A. Page IV.A-49.

² *Ibid.* Page IV.A-24 – 52.

³ *Ibid.* Page IV.A-50.

⁴ California Air Resources Board. August 27, 1998. Resolution 98-35. Accessed at: <http://www.arb.ca.gov/regact/diesltac/diesltac.htm>.

storage distribution center, SCAQMD staff recommends that the Lead Agency review and consider the following comments when making local planning and land use decisions.

Many strategies are available to reduce exposure, including, but not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Because of the potential adverse health risks involved with siting sensitive receptors near land uses that generate or attract heavy-duty, diesel-fueled trucks, such as a cold storage distribution center, SCAQMD staff recommends that the Lead Agency require the installation of MERV 13 filters or better at the Proposed Project in the Final EIR.

SCAQMD staff also recommends that the Lead Agency consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters⁵, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the residents. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. Moreover, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to DPM emissions.

Enforceability of Enhanced Filtration Units

If enhanced filtration units are required for the Proposed Project, and to ensure they are enforceable throughout the lifetime of the Proposed Project and effective in reducing exposures to DPM emissions, SCAQMD staff recommends that the Lead Agency make the installation of enhanced filtration units a project design feature and provide additional details on ongoing, regular maintenance, and monitoring of filters in the Final EIR. To facilitate a good faith effort at full disclosure and provide useful information to future residents at the Proposed Project, at a minimum, the Final EIR should include the following information:

- Disclose the potential health impacts to prospective residents from living in a close proximity to warehouses or distributions centers and the reduced effectiveness of the air filtration system when windows are open and/or when residents are outdoors (e.g., in the common usable open space areas);
- Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
- Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are inspected and maintained regularly;
- Disclose the potential increase in energy costs for running the HVAC system to prospective residents;
- Provide information to residents on where the MERV filters can be purchased;
- Provide recommended schedules (e.g., every year or every six months) for replacing the enhanced filtration units;
- Identify the responsible entity such as residents themselves, Homeowner's Association, or property management for ensuring enhanced filtration units are replaced on time, if appropriate

⁵ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by SCAQMD: <http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf>.

and feasible (if residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);

- Identify, provide, and disclose ongoing cost sharing strategies, if any, for replacing the enhanced filtration units;
- Develop a City-wide or Proposed Project-specific process for evaluating the effectiveness of the enhanced filtration units.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the Lead Agency provide SCAQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project.

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

Sincerely,

Lijin Sun

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Planning, Rule Development & Area Sources

LS:AM

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